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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 MICHAEL PHILLIPS,

9 Plaintiff,

10 v.

11 CAROLYN W. COLVIN, Acting
12 Commissioner of the Social Security
13 Administration,¹

14 Defendant.

15 CASE NO. C12-5200 BHS

16 ORDER ADOPTING REPORT
17 AND RECOMMENDATION

18 This matter comes before the Court on the Report and Recommendation (“R&R”)
19 of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 26. The Court
20 having considered the R&R and the remaining record, and no objections having been
21 filed, does hereby find and order as follows:

22 (1) The R&R is **ADOPTED**;

23 (2) Defendant’s decision is **REVERSED**; and

24 ¹ Carolyn W. Colvin became the Acting Commissioner of Social Security on February
25 14, 2003. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin is
26 substituted for Michael J. Astrue as the defendant in this suit.

(3) This action is **REMANDED** for further administrative proceedings in accordance with the findings contained in the R&R.

Dated this 22nd day April, 2013.



BENJAMIN H. SETTLE
United States District Judge